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| 33308 7590 05/17/2010 LOWE HAUPTMAN HAM & BERNER, LLP 1700 DIAGONAL ROAD, SUITE 300 ALEXANDRIA, VA 22314 | | | | |
| EXAMINER | | | | |
| STORK, KYLE R | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/583,366

Applicant(s)

BAILLEUL ET AL.

Examiner

KYLE R. STORK

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2010.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10,11 and 13-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 10,11 and 13-18 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/GS/US)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. This final office action is in response to the amendment filed 22 April 2010.
2. Claims 10-11 and 13-18 are pending. Claim 10 is an independent claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 10-11 and 17 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Alhir (Learning UML, published July 2003), and further in view of "I-Logix Introduces Wizard-Based Documentation Product for Web Publishing to Facilitate Team Collaboration," 8 May 2000, hereafter I-Logix).

As per independent claim 10, Alhir discloses a method for production of a documentary chain on the basis of a structured model, comprising the following steps:

loading of a structured model into a modeling tool (Section 3.1: Here, a class model is loaded)

generating of documentary fragments of the model (Section 3.1.1: Here, attributes are generated to be added to the class)

selecting of the model including the documentary information and of the generator of documentary fragments (Section 3.1.1: Here, the class model is selected to be loaded prior to the generation of the class fragments to be added)

inserting of the documentary fragments generated into the documentary structure of the documentary chain (Figures 3.1 and 3.2: Here, the generated documentary fragments are added to the loaded class model)

Alhir further discloses wherein the updated of the documentation is performed with the aid of dynamic links established for each fragment generated between its location in the documentary chain and its physical file arising from the automatic documentary generation (Section 3.2: Here, a link is added to the model in order specify relations between the physical files represented by the UML model).

Alhir fails to specifically disclose opening a document with a text processor. However, I-Logix discloses opening a document with a text processor (page 1: Here, a user is presented with an interface prompt into which he/she enters text information for building a report in Microsoft® Word®).

Alhir fails to specifically disclose selecting a fragment from a tree whose tree structure echoes the architecture of the packages of the starting model and inserting the fragment at its location in the document. However, I-Logix discloses selecting a fragment from a tree whose tree structure echoes the architecture of the packages of the starting model and inserting the fragment at its location in the document (page 1: Here, a user selects a customizable template, or starting model. The user is queried, via a Wizard, to enter information, such as diagrams, codes, and descriptions. Upon completion of this data entry, a report is generated by inserting the gathered data into the starting model).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined I-Logix with Alhir, since it would have allowed a user to be guided, via a Wizard, through creation of a modeling report.

As per dependent claim 11, Alhir discloses wherein the structured model is a UML model (Section 3.1.1).

As per dependent claim 17, Alhir discloses wherein the final documentation comprises manual free text included between the fragments generated (Section 3.2: Here, the models include text defining the links between model fragments. For example, Figure 3.13 discloses that a user is "ResponsibleFor" "theWorkProduct" "WorkProduct." This free text helps to define the association between "Worker" and "WorkProduct").

6. Claims 13 and 15-16 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Alhir and I-Logix and further in view of "Bringing It All Together" (July 2002, hereafter BIAT).

As per dependent claim 13, Alhir and I-Logix disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Alhir fails to specifically disclose wherein the model is produced with the aid of the "RHAPSODY" tool and that "RHAPSODY-DOC" is used to generate the documentary fragments that one desires to include in the final documentation. However, BIAT discloses the use of Rhapsody to generate the documentary fragments that one desires to include in the final documentation (pages 1-2: Here, Rhapsody is used to provide support for automatic code generation from a UML model). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined BIAT with Alhir, since it would have allowed a user to automatically generate software code from a UML model.

As per dependent claim 14, Alhir, I-Logix, and BAIT disclose the limitations similar to those in claim 13, and the same rejection is incorporated herein. BAIT discloses wherein the documentary fragments are inserted into a document opened in a text processing (pages 1-2: Here, text of the UML document is processed to be included in the automatically generated code). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined BAIT with Alhir, since it would have allowed for the automatic inclusion of UML text data within the generated code.

As per dependent claim 15, Alhir and I-Logix disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Alhir fails to specifically disclose wherein the "RHAPSODY-DOC" tool is used with "DOORS" for the generation of the documentary fragments processing information around the requirements, then the combination of "RHAPSODY-DOC" with a text processing so as to insert these DOORS fragments and architecture its final document. However, BAIT discloses wherein the "RHAPSODY-DOC" tool is used with "DOORS" for the generation of the documentary fragments processing information around the requirements, then the combination of "RHAPSODY-DOC" with a text processing so as to insert these DOORS fragments and architecture its final document (pages 1-2). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined BAIT with Alhir, since it would have allowed a user to interface between the UML model and other model languages, such as XML.

As per dependent claim 16, Alhir and I-Logix disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Alhir fails to specifically disclose wherein the "RHAPSODY-DOC" tool is used with "DOORS" and a text processing for the document generation. However, BAIT discloses wherein the "RHAPSODY-DOC" tool is used with "DOORS" and a text processing for the document generation (pages 1-2). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined BAIT with Alhir, since it would have allowed a user to interface between the UML model and other model languages, such as XML.

7. Claim 18 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Alhir and I-Logix, and further in view of Pastor et al. (US 6681383, filed 4 April 2000, hereafter Pastor).

As per dependent claim 18, Alhir and I-Logix disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Alhir fails to specifically disclose filtering of data. However, Pastor discloses filtering of data (column 9, lines 28-54). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Pastor with Alhir, since it would have allowed for a user to specify preconditions to be satisfied prior to performing actions.

Response to Arguments

8. Applicant's arguments filed 22 April 2010 have been fully considered but they are not persuasive.

With respect to claim 10, the applicant presents a plurality of arguments. The first argument is based upon the belief that Alhir does not disclose documentation or a documentary chain (page 5). The applicant bases this argument upon Alhir's failure to include the words "documentation" or "documentary chain (page 5)." Alhir describes a documentary chain for a class, including attributes and documentary fragments modeled in UML (Section 3.1). UML was notoriously well known in the art at the time of the applicant's invention as providing design and documentation of content in a diagrammatic form. For this reason, this argument is not persuasive.

The applicant further argues that Alhir fails to disclose generating fragments of the model (page 5). This argument appears to be based upon the belief that classes do not represent concepts (page 5). However, the examiner respectfully disagrees. The classes defined by Alhir are analogous to the claimed concepts (Section 3.1.1). Both the claimed documentary fragments and the classes of Alhir are generated fragments of a larger model (Section 3.1.1). For this reason, this argument is not persuasive.

The applicant further argues that I-Logix fails to disclose a tree structure (page 5). Alhir discloses a tree structure, or hierarchical structure, of elements within a class (Section 3.1). However, Alhir does not disclose selecting an architecture of the starting model and inserting the fragment at its location in a document. However, I-Logix discloses selecting an architecture of the starting model and inserting the fragment at its location in a document (pages 1-2). Here, the architecture is one of RTF, HTML, Framemaker, and Microsoft Word® formats (paragraph 2). For this reason, this argument is not persuasive.

Finally, the applicant argues that the user has used impermissible hindsight in the combination of Alhir and I-Logix. The examiner respectfully disagrees. It must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYLE R. STORK whose telephone number is (571)272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kyle R Stork/
Primary Examiner, Art Unit 2178